

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

*KNOX*  
23541

**FILE:** B-209589

**DATE:** November 8, 1982

**MATTER OF:** Cascade Surveying & Engineering, Inc.

**DIGEST:**

Protest filed more than 10 days after basis for protest is known is untimely and will not be considered on the merits.

Cascade Surveying & Engineering, Inc. protests the award of a contract for surveying services to Yumang, O'Connell and Associates under request for proposals No. R6-5-82-117N issued by the U.S. Forest Service. We dismiss the protest as untimely filed.

The Forest Service determined that three of the eight proposals received were technically acceptable. Although the protester's proposal received the highest technical ranking, it also was the most expensive by a significant margin, costing over twice as much as the awardee's (\$162,547 vs. \$75,255). As a result of its superior technical proposal, the protester was awarded a combined technical-price point score of 209 out of a maximum of 250. The awardee's technically acceptable, lower-cost proposal was awarded 200 points. The protester argues that it should have been awarded the contract because its proposal received the highest combined score. It also contends that the procedures used to score the awardee's proposal were arbitrary; the engineering estimate prepared by the Forest Service as a basis for establishing a competitive range was composed of unrealistically low time allocations; and, that it is doubtful that the awardee is capable of performing the required work.

Our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(2) (1982), provide that to be timely a protest must be filed not later than 10 days after the basis for protest is known or should have been known, whichever is earlier.

023878 / 119876

Here, by letter dated September 20, 1982, the Forest Service notified Cascade of the award to Yumang and provided it with a summary of the proposals which had been received. However, Cascade did not file its protest with this Office until October 22, 1982. This was clearly more than 10 days after it knew the basis of its protest, and therefore, the protest is untimely.

The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel